



**Service of Process
Transmittal**

02/09/2021

CT Log Number 539027108

TO: Service of Process
CVS Health Companies
1 CVS DR MAIL CODE 1160
WOONSOCKET, RI 02895-6146

RE: Process Served in Nevada

FOR: CVS Pharmacy, Inc. (Domestic State: RI)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: ELEANOR KONRAD, PLTF. vs. CVS PHARMACY, INC., ET AL., DFTS. // TO: CVS Pharmacy, Inc.

DOCUMENT(S) SERVED: -

COURT/AGENCY: None Specified
Case # A21828730C

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition

ON WHOM PROCESS WAS SERVED: C T Corporation System, Carson City, NV

DATE AND HOUR OF SERVICE: By Process Server on 02/09/2021 at 12:45

JURISDICTION SERVED : Nevada

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: CT has retained the current log, Retain Date: 02/10/2021, Expected Purge Date: 02/15/2021

Image SOP

Email Notification, Service of Process service_of_process@cvcs.com

REGISTERED AGENT ADDRESS: C T Corporation System
701 S. Carson Street
Suite 200
Carson City, NV 89701
800-448-5350
MajorAccountTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

SEI
 Bruce D. Tingey, Esq.
 Nevada Bar No. 5151
 Tingey Injury Law Firm
 817 S. Main Street
 Las Vegas, Nevada 89101
 Telephone: (702) 333-0000
 Facsimile: (702) 333-0001
 bruce@tingeylawfirm.com
 Attorney for Plaintiff

DISTRICT COURT
 CLARK COUNTY, NEVADA

ELEANOR KONRAD,
 Plaintiff,
 vs.

Case No: A-21-828730-C
 Dept No:

SUMMONS

CVS PHARMACY, INC., LONGS DRUG STORES
 CALIFORNIA, L.L.C., and LONGS DRUG STORES,
 L.L.C.,
 Defendants.

NOTICE: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 21 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT: CVS Pharmacy, Inc.

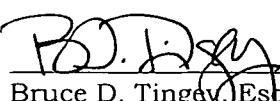
A civil complaint has been filed by the plaintiff against you for the relief set forth in the complaint. If you intend to defend this lawsuit, within 21 days after this summons is served on you exclusive of the day of service, you must do the following:

- ☐ File with the clerk of this court, whose address is shown below, a formal written response to the complaint in accordance with the rules of the court.
- ☐ Serve a copy of your response upon the attorney at the address as shown above.

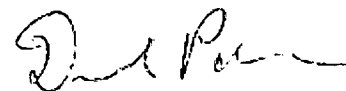
Unless you respond, a default against you will be entered upon application of the plaintiff and this court may enter a judgment against you for the relief demanded in the complaint, which could result in the taking of money or property or other relief requested. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.

Issued at direction of:
 Tingey Injury Law Firm

STEVEN D. GRIERSON, CLERK OF THE COURT


 Bruce D. Tingey, Esq.
 817 S. Main Street
 Las Vegas, Nevada 89101
 Attorney for Plaintiff

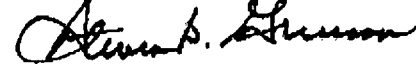
By:


 DEPUTY CLERK
 Regional Justice Center
 200 East Lewis Avenue
 Las Vegas, Nevada 89155

2/2/2021

Date

Demand Palmer



1 COMP
 2 Bruce D. Tingey, Esq.
 3 Nevada Bar No. 5151
 4 Tingey Injury Law Firm
 5 817 S. Main Street
 6 Las Vegas, Nevada 89101
 7 Telephone: (702) 333-0000
 8 Facsimile: (702) 333-0001
 9 bruce@tingeylawfirm.com
 10 Attorney for Plaintiff

CASE NO: A-21-828730-C
 Department 26

DISTRICT COURT
 CLARK COUNTY, NEVADA

11 ELEANOR KONRAD,

12 Plaintiff,

13 vs.

14 CVS PHARMACY, INC., LONGS DRUG STORES
 15 CALIFORNIA, L.L.C., LONGS DRUG STORES,
 16 L.L.C. and DOES I through X, inclusive,

17 Defendants.

Case No:

Dept No:

COMPLAINT

(Arbitration Exemption Claimed: Value in Excess of \$50,000.00)

COMES NOW plaintiff Eleanor Konrad, by and through the attorney, Bruce D. Tingey, Esq. of the Tingey Injury Law Firm, and for a cause of action against the defendants, and each of them, for damages and injuries sustained on or about April 15, 2020, alleges, on information and belief, as follows:

THE PARTIES

1. At all times relevant, plaintiff Eleanor Konrad is a resident of Clark County, Nevada.
2. At all times relevant, defendant CVS Pharmacy, Inc. is a corporation or other business entity doing business in Clark County, Nevada.
3. At all times relevant, defendant Longs Drug Stores California, L.L.C. is a corporation or other business entity doing business in Clark County, Nevada.
4. At all times relevant, defendant Longs Drug Stores, L.L.C. is a corporation or other business entity doing business in Clark County, Nevada.

1 5. The true names and capacities of defendants doe I through X, inclusive, are unknown
2 at this time and may be individuals, partnerships or corporations. The plaintiff alleges that each of
3 the defendants designated herein as doe defendant is responsible in some manner for the damages as
4 herein alleged and is further the agent, servant, master, employee or employer of one another, and is
5 operating within the course and scope of their duties or is otherwise established in another type of
6 relationship that will support a finding of joint and several liability. The plaintiff requests leave of the
7 court, if necessary, to amend the complaint to name the defendants when their identities become
8 known.

9 6. More specifically, one or more fictitiously identified doe defendants, including defendant
10 doe employee identified below, upon information and belief, is a resident of Clark County, Nevada, and
11 is an employee of defendants and each of them, and acting within the course and scope of employment
12 with defendants and each of them.

13 THE FACTS

14 7. On or about April 15, 2020, in Clark County, Nevada, plaintiff Eleanor Konrad was a
15 patron and on property of the CVS Pharmacy, located at 1950 Village Center Circle, Las Vegas,
16 Nevada, when she tripped and fell as the result of an unsafe condition that existed on the property
17 ("unsafe condition.")

18 8. The unsafe condition included a dark blue plastic storage box used for restocking that
19 was on the floor.

20 9. One (or more) employee of the CVS Pharmacy was restocking and left the dark blue
21 plastic storage box unsafely unattended and around a corner on the floor, and when the plaintiff
22 walked around the corner at the end of an aisle, it caused her to trip and fall.

23 10. The defendants and each of them are the owners or otherwise are responsible for the
24 maintenance, liabilities and safety of the area where the unsafe condition existed to cause the
25 plaintiff's damages.

26 11. As a result of the unsafe condition, the plaintiff tripped and fell, becoming injured as a
27 result.
28
29
30

1 12. The defendants and each of them are responsible for the safe condition of the patrons of
2 the property, including the plaintiff.

3 13. The defendants and each of them knew or should have known about the unsafe
4 condition that caused damages to the plaintiff.

5 14. The defendants and each of them created the unsafe condition that caused damages to
6 the plaintiff.

7 15. The defendants and each of them failed to reasonably warn the plaintiff of the unsafe
8 condition.

9 16. The plaintiff neither knew nor should have known of the existence of the unsafe
10 condition

11 FIRST CAUSE OF ACTION
12 NEGLIGENCE (FAILURE TO HAVE SAFE CONDITION)

13 17. The plaintiff incorporates herein by reference all allegations within this complaint and
14 further alleges as follows:

15 18. The defendants and each of them owed a duty to the plaintiff, including a duty of due
16 care and to act reasonably under the circumstances, even taking greater precautions to protect the
17 plaintiff as one invited onto its premises, but breached that duty when the defendants failed to provide
18 a safe condition for the plaintiff's use by creating and/or allowing to exist the unsafe condition alleged
19 herein.

20 19. As a proximate cause of the negligence of the defendants, the plaintiff was injured and
21 damaged in a manner as alleged herein.

22 SECOND CAUSE OF ACTION
23 NEGLIGENCE (FAILURE TO WARN)

24 20. The plaintiff incorporates herein by reference all allegations within this complaint and
25 further alleges as follows:

26 21. The defendants and each of them owed a duty to the plaintiff, including a duty of due
27 care, but breached that duty when the defendants failed to reasonably warn the plaintiff of the unsafe
28 condition alleged herein.

22. As a proximate cause of the negligence of the defendants, the plaintiff was injured and damaged in a manner as alleged herein.

THIRD CAUSE OF ACTION
NEGLIGENCE (RESPONDEAT SUPERIOR)

23. The plaintiff incorporates herein by reference all allegations within this complaint and further alleges as follows:

24. At all times relevant, one or more persons, including one or more fictitiously named doe defendants, was acting within the course and scope of employment with defendants and each of them.

25. As such, defendants and each of them are legally responsible (vicariously liable) for the negligent conduct of is negligent employees as alleged herein.

26. As a proximate cause of the negligence of the negligent employee, which is imputed to defendants and each of them, the plaintiff was injured and damaged.

FOURTH CAUSE OF ACTION
NEGLIGENT HIRING/TRAINING/SUPERVISION

27. The plaintiff incorporates herein by reference all allegations within this complaint and further alleges as follows:

28. At all times relevant, one or more persons, including one or more fictitiously named doe defendants, was acting within the course and scope of employment with defendants and each of them.

29. At all times relevant, defendants and each of them were negligent in the manner in which they hired, trained and supervised the negligent employee.

30. As a result, the negligent employee created or caused to be created the unsafe condition described above to cause damages to the plaintiff.

31. As a proximate cause of the negligence of defendants and each of them, the plaintiff was injured and damaged.

CAUSATION AND DAMAGES

32. The plaintiff incorporates herein by reference all allegations within this complaint and further alleges as follows:

33. As a direct and proximate result of all the foregoing, the plaintiff was injured in and about the spine, body, limbs, organs and systems, and otherwise injured and caused to suffer great

1 pain of body and mind, and some or all of the same are permanent and disabling conditions, all for the
2 plaintiff's past and future general damages in excess of \$15,000.00.

3 34. As a further direct and proximate result of all the foregoing, the plaintiff was caused
4 and will be caused to expend monies for medical care and expenses incidental thereto, in an amount
5 according to proof.

6 35. The plaintiff has been required to hire an attorney to prosecute this action and thus
7 entitled to reasonable attorney fees and cost of suit.

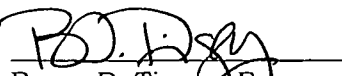
8 PRAYER FOR RELIEF

9 WHEREFORE, the plaintiff prays judgment against the defendants, and each of them, jointly
10 and severally, as follows:

- 11 1. General damages in excess of \$15,000.00;
12 2. Damages for medical expenses in an amount according to proof;
13 3. Reasonable attorney's fees and cost of suit; and
14 4. Any further relief which the court may deem just and proper in the premises.

15 Dated this 1st day of February 2021.

16 Tingey Injury Law Firm

17
18 
19 Bruce D. Tingey, Esq.
20 817 S. Main Street
21 Las Vegas, Nevada 89101
22 Attorney for Plaintiff
23
24
25
26
27
28
29
30